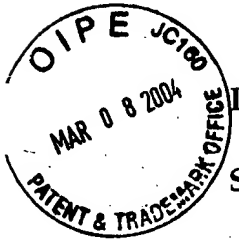


CONTAINS PROPRIETARY INFORMATION

ELECTION MEMORANDUM

DATE: [REDACTED]

SUBJECT: Notice of Election to Retain Title to the Following Defense Program
Subject Invention Under Class Waiver W(C)-92-002

FROM: LLNL Industrial Partnerships & Commercialization, L-795
Nina Rhodes/Sara Sanders, Administrators, (925) 422-6416

TO: Assistant Chief Counsel for Patents, DOE/OAK

DOE NO: S-93,080

DATE REPORTED TO DOE: [REDACTED]

FIRST NAMED INVENTOR: Raymond P. Mariella, Jr.

INVENTION TITLE: Building Airspace Protection System

B&R NUMBER: N/A

DOE PROGRAM OFFICIAL: N/A

RECEIVED
MAR 12 2004

A copy of the Subject Invention Disclosure is attached hereto.

The Regents of the University of California (UC) hereby elects to retain title to the Subject Invention, under the terms and conditions of the Statement of Consideration of Class Waiver W(C)-92-002, in the United States and such foreign countries as may be determined. We will advise DOE of any foreign filing decisions and actions taken by the University.

UC hereby represents that it has conducted a reasonable internal inquiry, and as a result, it has determined that the Subject Invention falls within the Class Waiver. UC has further determined that the Subject Invention does not fall within international agreements or treaties of the U.S. Government.

UC further represents that it will attempt to commercialize the Subject Invention through its licensees within five (5) years from the time this election is effective. UC

agrees to file, prosecute, and maintain those patent applications and issued patents on the Subject Invention which are necessary to effectively fulfill its obligations under the subject Class Waiver and its Technology Transfer Agreement entered into with the Department of Energy (DOE) on [REDACTED], under Contract No. W-7405-ENG-48.

UC has provided for the following safeguards for the protection of national security while commercializing the Subject Invention:

UC further represents that it has determined that the technology has been reviewed for export control. See the attached Export Control Review for Patents and Licensing form attached hereto and incorporated herein as if fully set forth. UC further represents that it will inform all licensees of any requirements or limitations on export of the technology.

In making its determination that the Subject Invention falls within the subject Class Waiver, UC has concluded, through its Program and Technology Transfer Offices, that national security will not be compromised by the development, commercialization or licensing activities involving the invention; that no sensitive technical information (classified or unclassified) under any of DOE's programs will be released to unauthorized persons; that the dissemination of the technology will not contribute to the proliferation of nuclear weapons; and that there will be no adverse effect on the operation of the Naval Nuclear Propulsion Program or the Nuclear Weapons Program or other defense activities of DOE by UC taking title.

UC understands that an election of Defense Programs funded inventions is not effective until approval by the DOE Assistant Chief Counsel for Intellectual Property and concurrence by the Defense Programs Field Review Official is obtained.

CONCURRENCE:

Michael E. Walsh
Defense Programs

Date: [REDACTED]

APPROVAL:

William C. Daubenspeck
William C. Daubenspeck
for Asst. Chief Counsel for Patents, OAK

Effective Date: [REDACTED]

BEST AVAILABLE COPY